SJ-PA

Rt. 12, Frederick, Md. 21701
11/8/77

Mr. Steven Garfinkel, Chief Counsel
Records and Archives, Office of General Counsel
General Services Administration
Washington, D.C. 20405

Dear Mr. Garfinkel,

In today's mail and without any covering letter I received a pale xerox of your 11/7/77 to Howard Roffman and three documents relating to me. I presume you mailed these to me. If so, thanks.

The single substantive sentence of your letter to Mr. Roffman reports that subsequent to Dr. Rhoads' letter of 10/28/77 you happened to discover these records, not listed or described in your letter.

While I am, of course, interested in what you were doing searching files relating to me after supposed compliance with Mr. Roffman's request that is not the cause of this letter.

Dr. Rhoads sent me what he described as copies of the records he sent Mr. Roffman. Dr. Rhoads' mailing to me was delayed by a wrong address and an inadequate package which resulted in damage, the need to repair the package and thus delay. However, I have read those records.

My first question, one that should be obvious to you, is why neither GSA nor Archives provided any of these records or the ones you have just sent or the ones the existence of which is established by what has been sent in response to my PA/FOIA requests for them of both GSA and Archives.

While in time if there is need I will provide more questions I also ask when I can expected long-delayed compliance with my requests.

Some of the records sent Mr. Roffman are germane in several of my FOIA cases. You appeared in one. It is my recollection that the records just provided to Mr. Roffman were in part quite relevant in those cases yet were not provided in response to discovery. Naturally I find myself wondering why these records were not provided then, were not provided to me in response to my PA/FOIA requests and were not provided to Mr. Roffman until my two cases were past the district court level and that record closed to me.

Of course it is possible not to believe that these withheld records you have just mailed were not just located. Two of the three GSA letters, to put it more bluntly than you might prefer, contain outright lies. By your own records you had decided prior to 12/8/70 that you could not claim the exemption for the Secret Service copy of the memo of transfer. Yet on 12/10/70 GSA encouraged Secret Service that "it would seem appropriate to deny access on the same basis as we did. In the alternative, you may wish to transfer all copies" to the Archives. Although the Secret Service had agreed prior to this and to my request that was prior to it to release that record to me you contrived a means of denying me my rights and of frustrating the Act. It thus does not require either a suspicious or an ungenerous nature to have questions about the continued withholdings or the belated findings.

The records recently provided refer to a number of files in which you may locate those records that are referred to and have not been provided. Good faith and due diligence, it seems to me, require no less than a search of files that are recorded in those provided and read prior to mailing. May I hear from you on when I may expect the still-withheld records? If the release Mr. Roffman obtained from me does not cover them, please accept this as an authorization of copies to him.

Sincerely, Harold Weisberg